

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LOWEY DANNENBERG COHEN, P.C., in its  
capacity as account holder of, and party with interest  
in, the REZULIN SETTLEMENT FUND,

Plaintiff,

- VS -

JAMES R. DUGAN, II, STEPHEN B. MURRAY  
d/b/a THE MURRAY LAW FIRM, RAWLINGS  
AND ASSOCIATES, PLLC, GREG MURPHY,  
MORAIN & MURPHY, LLC, WALLACE  
JORDAN RATLIFF & BRANDT, LLC, ELWOOD  
S. SIMON & ASSOCIATES, P.C., KERSHAW,  
CUTTER & RATINOFF, LLP, BERMAN  
DEVALERIO PEASE TABACCO BURT &  
PUCILLO, MARK FISCHER, GEORGE  
RAWLINGS, SHIPMAN & GOODWIN, LLP,

Defendants.

Case No. 08 Civ. 0461 (LAK)

HONORABLE LEWIS A. KAPLAN


**ECF CASE**

**MOTION FOR FINAL DEFAULT JUDGMENT AGAINST DEFENDANTS  
JAMES R. DUGAN, II AND STEPHEN B. MURRAY  
d/b/a THE MURRAY LAW FIRM**

PLEASE TAKE NOTICE that upon the accompanying Affidavit of Todd S. Garber dated February 27, 2008, the accompanying memorandum of law, and upon all of the papers and proceedings heretofore and herein, Plaintiff Lowey Dannenberg Cohen, P.C., in its capacity as account holder of, and party with interest in, the Rezulin Settlement Fund will move this Court before the Honorable Lewis A. Kaplan, United States District Judge for the Southern District of New York at the United States Courthouse at 500 Pearl Street, Courtroom 12D, New York, New York, 10007-1312, at a date and time to be determined by the Court, for a Final Judgment pursuant to Federal Rules of Civil Procedure 54(b) and 55(b)(2) entering default judgment against James R. Dugan, II and Stephen B. Murray, d/b/a the Murray Law Firm.

Respectfully submitted this 27th day of February, 2008.  
White Plains, NY

LOWEY DANNENBERG COHEN & HART, P.C.

/s/   
Richard W. Cohen (RC-5220)  
Peter D. St. Phillip (PS-0726)  
Thomas Skelton (TS-7908)  
Todd S. Garber (TG-4620)  
One North Broadway, Suite 509  
White Plains, NY 10601-2310  
Telephone: (914) 997-0500  
Telecopier: (914) 997-0035